

**KIRBY McINERNEY LLP**

825 Third Avenue  
New York, NY 10022  
212.371.6600  
Fax: 212.751.2540  
WWW.KMLLP.COM  
Of counsel  
Roger W. Kirby  
Alice McInerney

May 8, 2015

**VIA EMAIL and ECF**

The Honorable Andrew L. Carter, Jr.  
United States Courthouse  
40 Foley Square, Room 435  
New York, New York 10007

Re: *In re: North Sea Brent Crude Oil Futures Litig.*, 13-md-02475-ALC

Dear Judge Carter:

We represent the Brent Derivative Trader Plaintiffs (“Plaintiffs”) in the above-referenced action. Pursuant to Rule 5.2 of Electronic Case Filing Rules and Instructions (“ECF Rules”), Plaintiffs respectfully request permission to file a CD containing an Excel spreadsheet that is an attachment to a declaration that Plaintiffs are filing in support of Plaintiffs’ Opposition to the Rule 12(b)(2) Motion to Dismiss filed by Defendant Phibro Commodities Limited. The native formatting of the Excel spreadsheet precludes Plaintiffs from converting the Excel spreadsheet into a useable PDF-A format, as generally required for filed attachments under the ECF Rules.

The Excel spreadsheet is an Exhibit to the deposition transcript of Roger Plaisted, and the entire deposition transcript and exhibits thereto are being filed with the Court. Plaintiffs also rely on the Excel spreadsheet and testimony related to it in their Opposition brief, which we will file with the Court today. We appreciate Your Honor’s consideration in this matter.

Respectfully submitted,

/s/ David E. Kovel  
David E. Kovel  
KIRBY McINERNEY LLP  
825 Third Avenue, 16<sup>th</sup> Floor  
New York, NY 10022  
Tel: 212-371-6600  
Fax: 212-751-2540  
dkovel@kmlp.com

*Interim Lead Counsel for the Brent  
Derivative Trader Plaintiffs and the  
Proposed Class*

cc: All Counsel of Record (by email)

NEW YORK

CALIFORNIA